

Intellectual Property Law *spring seminar 2017*

Tackle Hot Topics in Your IP Practice

Presented by
The Intellectual Property Law Section of the State Bar of Michigan

In cooperation with
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Intellectual Property Law Spring Seminar 2017

March 13, 2017, 9:00am–4:20pm
Kellogg Hotel & Conference Center, Michigan State University, East Lansing
CLE: 5 | Level: Intermediate

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²Electronic materials will be posted online before the seminar. Registrants will receive prepurchased printed handbooks on-site. Prices guaranteed until 03/13/17. **Complete seminar policy:** www.icle.org/info/seminarpolicies. **Hotel Information:** A block of rooms has been reserved at the Kellogg Hotel under ICLE for 03/12/17. The room rate is \$106/night. Please call 800-875-5090 to reserve a room. Reservations must be made by 02/12/17. Registrants are responsible for their own hotel expenses. **Cancellation Policy:** For a full refund, notify ICLE by 02/27/17. Registrants who cancel after that date will be charged a \$60 cancellation fee. No refunds will be issued after 03/06/17. **Persons with disabilities or dietary restrictions:** For special arrangements, please contact ICLE no later than seven days before the seminar.

Tackle Hot Topics in Your IP Practice

Critical updates, expert insight, exceptional networking—get it all under one roof, in one day. Make the most of your time out of the office at an unbeatable price. Get tips from leaders in intellectual property law and adapt your practice to meet clients' changing needs.

Benefits of Attending:

- Get complete coverage of the Defend Trade Secrets Act
- Identify conflicts of interest in patent prosecution, opinions, and litigation
- Stay on top of TTAB rule changes
- Discover solutions to common patent, trademark, and copyright law issues
- Connect with colleagues, local and national speakers, and other officials

Get 5 CLE at a one-day seminar!

Plenary Sessions

Moderator: David C. Berry, Chair, Intellectual Property Law Section of the State Bar of Michigan, Brooks Kushman PC, *Southfield*

9:00am

The Defend Trade Secrets Act and Noncompete Agreements

Trade secrets and related rights play an increasingly important role in IP strategy. Experts share in-house and outside counsel perspectives on protecting and enforcing trade secrets in light of the new Defend Trade Secrets Act, the AIA, and the continuing controversy concerning restrictive covenants in employment agreements.

Joan K. Archer, Husch Blackwell LLP, *Kansas City, MO (litigation perspective)*; David C. Berry, Brooks Kushman PC, *Southfield (moderator)*; William J. Coughlin, Ford Global Technologies LLC, *Dearborn (in-house perspective)*

12:20pm

Lunch Presentation—Disparaging Marks and Non-Traditional Marks

The pending *Lee v Tam* and *Blackhorse v Pro Football, Inc.* cases present important issues at the confluence of trademarks, free expression, and culture. Professor Carpenter will discuss key cases and the future of disparaging, immoral, and scandalous trademarks.

Megan M. Carpenter, Texas A&M University School of Law, *Fort Worth, TX*

1:50pm

Cybersecurity and Privacy 101

Are you afraid of technology? Have no idea where to start with cybersecurity or privacy (or what laws might apply)? Learn to protect yourself, your firm, and your clients. Get practical tips for locking down your devices and discuss horizon issues as well.

Bradley W. Bidwell, The Dow Chemical Company, *Midland*

3:30pm

Valuation of Patents, Trademarks, Copyrights, and Trade Secrets: An Orientation to Intellectual Property Appraisal

IP assets are some of the most challenging for professional appraisers to value. Get an overview of the most relevant issues associated with valuation, including: why valuations are performed, essential aspects of all valuations, traditional valuation approaches, assessing and quantifying risk, and more.

Scott Weingust, Stout Risius Ross Inc., *Chicago, IL*

Schedule

8:00am Continental Breakfast and Registration

9:00am The Defend Trade Secrets Act and Noncompete Agreements

10:00am Networking Break

	Patent Track	Trademark Track
10:20am	Conflicts of Interest in Patent Practice: Prosecution, Opinions, and Litigation	TTAB Rules Changes
11:20am	PTAB/IPR Strategies 2017	Trademarks and the Craft Beer Industry
12:20pm	Lunch Presentation—Disparaging Marks and Non-Traditional Marks	
1:50pm	Cybersecurity and Privacy 101	
3:00pm	Networking Break with Craft Beer Samples	
3:30pm	Valuation of Patents, Trademarks, Copyrights, and Trade Secrets: An Orientation to Intellectual Property Appraisal	

Patent Track

Moderator: David C. Berry, Chair, Intellectual Property Law Section of the State Bar of Michigan, Brooks Kushman PC, *Southfield*

10:20am

Conflicts of Interest in Patent Practice: Prosecution, Opinions, and Litigation

Identify when one client can be deemed to be “adverse” to another in patent practice, plus explore choice of law and client identity issues.

David Hricik, Mercer University School of Law, *Macon, GA*

11:20am

PTAB/IPR Strategies 2017

The volume of petitions for review of patents under the AIA post-grant proceedings continues to grow, and the Federal Circuit is considering both the procedural and substantive issues raised in PTAB matters. Gain insights into how patent owners and petitioners should formulate IPR strategies to take advantage of the latest developments.

Sangeeta G. Shah, Brooks Kushman PC, *Southfield*; Mark S. Sparschu, Lear Corporation, *Southfield*

Trademark Track

Moderator: Lisabeth H. Coakley, Harness Dickey & Pierce PLC, *Troy*

10:20am

TTAB Rules Changes

In an effort to create more efficiency in proceedings and lend clarity to the process, the Trademark Trial and Appeal Board promulgated new rules that became effective in January. Learn how the new rules impact TTAB practice and procedure, including service of papers, discovery, motion practice, and the submission of evidence.

Hon. George C. Pologeorgis, Trademark Trial and Appeal Board, U.S. Patent and Trademark Office, *Alexandria, VA*

11:20am

Trademarks and the Craft Beer Industry

Get an in-depth look at the craft beer industry and how its exponential growth has affected the way craft breweries clear new marks and resolve trademark disputes. Historically, this tight-knit community of brewers has resolved trademark disputes true to their collaborative nature by talking brewer-to-brewer. However, trademark cease-and-desist letters and litigation are becoming the norm. Can this industry right itself and get back to its collaborative roots when it comes to trademark disputes, or has that time come and gone?

John A. Di Giacomo, Revision Legal PLLC, *Traverse City*; Steve Haumschild, Lanikai Brewing Company, *Kailua, HI*; Paul L. Havel, Miller Nash Graham & Dunn LLP, *Portland, OR*; Mark Rieth, Atwater Brewery, *Detroit*